

Memorandum

TO: Ravalli County Planning Department

FROM: Land Use Clinic, University of Montana School of Law

DATE: March 23, 2007

RE: Highway 93 South Corridor Plan
Proposed Commercial Off-Street Parking Ordinance/Considerations

OVERVIEW

Ravalli County in general and the Highway 93 South Corridor in particular, because of its proximity to high traffic volume, is ripe for numerous types of commercial development. Accompanying this impending development will be a need for each developer to provide adequate off-street parking for those who patronize the individual developments. In terms of raw land consumption, there may be no other single segment of commercial development with a heartier appetite than off-street parking. Off-street parking regularly consumes a much larger portion of a property than the building it was designed to support. With such a strong potential for a sea of asphalt, the County should carefully consider how this portion of development will be addressed. Well designed off-street parking can be much more than a hot and dry surface that merely serves the purpose of free and convenient parking. Appropriately landscaped, an otherwise uninviting black surface can be transformed into an almost park-like setting with expanses of green-space around the perimeter and clusters of shade distributed throughout the lot.

Certain issues were identified during the Ravalli County Public Meetings on Land Use in the Highway 93 South Corridor, in 2006. Among those issues identified was the need for structured commercial development and accommodating that growth in a predictable manner. It was recognized that commercial development, as somewhat of a destination, will bring an influx of automobiles and the parking requirements should be addressed upfront. Additionally, off-street parking as it pertains to commercial development is tangentially implicated in the Ravalli County Growth Policy at Countywide Goal 6; Countywide Policy 6.2.

DISCUSSION

General

Along with the impending commercial development along Highway 93 South, developers will, as a service to their patrons, construct areas for off-street parking. Retailers have long understood the powerful draw of free parking. At its most base level, off-street parking can be accommodated in a very straightforward and simple manner by merely rolling out the pavement. The results of this approach always leave something to

be desired. Green spaces will be traded for hardscapes and rain water that previously filtered into the soil will become runoff into the storm drains. In an effort to preserve some of the original character of the area, a proactive approach is in order. The need for off-street parking has its roots in our mobile society and this need is not going away soon.

By regulating the installation of off-street parking, there is an opportunity to replace some of what was removed and enhance what remains. Quality landscapes can be installed to create spaces that are both visually interesting and inviting. Shade can be provided over what would otherwise be a scorching surface. Through the use of grade, storm runoff can be directed into landscaped areas where surface born contaminants can be filtered out and the water helps to sustain the landscape. Off-street parking may very well be one of the less attractive attributes of commercial development but with a proactive approach many undesirable qualities may be mitigated.

The County should encourage off-street parking to the side and rear of the building which it serves. This helps to minimize the visual impact of the parking lot from the public right-of-way. It may be easier to anchor a building into its surroundings than a parking lot. Another consideration may be to direct the bulk of traffic entering or exiting to a point away from the building. While it is not possible to completely eliminate the fire lane near the building, careful design may be able to discourage its use as a means of through traffic. Also, it is important that developers act in an environmentally sensitive manner and accommodate alternative means of transportation such as bicycles and buses. Finally, the County should identify what activities are permissible in a parking lot. It is not uncommon for large retailers to locate their nursery supplies for sale out in the parking lot, and as a seasonal use this should probably be permissible. However, retailers should be discouraged from utilizing parking lots as ongoing retail space. Also retailers should be prohibited from constructing fenced-in storage enclosures in the parking area, and likewise the practice of locating storage trailers or containers on the parking lot should be prohibited.

Authority

In accordance with Montana Code Annotated § 76-2-203(1)(a) (2005), zoning regulations must be made in accordance with the growth policy or master plan. The issue of off-street parking falls under the broad net cast by the Ravalli County Growth Policy. Countywide Goal 6: Promote and encourage a vibrant, sustainable, healthy economic environment that recognizes existing businesses and attracts new entrepreneurs. Countywide Policy 6.2: Support and encourage quality design and planning for more aesthetic commercial business development.

Application

An off-street parking ordinance should consider the aesthetic benefits to the area. It should: 1) Provide a process where developers may ascertain the off-street parking requirements for commercial development; 2) Ensure that new commercial developments are sufficiently available to the community; and 3) Strive to retain the aesthetic character and identity of the Ravalli County Highway 93 South Corridor.

Off-street parking has its roots in customer convenience, but that convenience should not come at the expense of a livable community that is visually interesting and provides a means of safe ingress and egress from the respective businesses. For illustrative purposes the following sample language is provided.

SAMPLE REGULATORY LANGUAGE

The following provisions would apply only to developments in areas that are zoned for commercial uses.

SECTION 1 - GENERAL REQUIREMENTS

1.1.1 All new buildings and structures and all new land uses shall provide necessary off-street parking or loading facilities as required hereinafter. All commercial development applications shall be accompanied by a plot plan which is drawn to scale and fully dimensioned.

1.1.2 Whenever an existing building is to be altered or expanded, additional off-street parking and loading spaces required herein shall not exceed those required by the expansion alone.

1.1.3 Computations of required parking spaces which result in fractional spaces shall be interpreted such that any fraction less than one-half is disregarded and any fraction equal or greater than one-half shall become an additional space.

1.1.4 Off-street parking areas shall be for the primary use of automobile parking. Occasional summer “sidewalk sales” may be conducted in the parking area for periods not to exceed one week or in the case of garden, landscape and nursery materials, during the growing season. No other sales, storage, overnight Recreational Vehicle parking, repair work, dismantling or service work of any kind allowed.

1.1.5 Off-street parking shall be constructed of a solid surface material such as asphalt or concrete and installed in a manner consistent with the locale to provide a durable surface with a long life expectancy.

1.1.6 A maximum of six thousand eight hundred (6,800) square feet or thirty percent of all required parking, whichever is greater, may be located between the front façade of the primary building and the abutting primary public right-of-way.

SECTION 2 - DESIGN REQUIREMENTS

2.1.1 Regardless of orientation, parking spaces shall be developed to provide a parking area that is 162 net square feet and the dimensions of each space shall be nine feet by eighteen feet.

2.1.2 In order to provide a safe and efficient means of vehicular access to each parking space, the width and design of the aisles shall be in accordance with the following:

<u>Parking Angle (degrees)</u>	<u>Aisle Width (feet)</u>
45	14
60	18
90	24

The parking angle shall be measured between the centerline of the parking space and the centerline of the aisle. Except for backing out of the individual parking spaces, off-street parking shall be laid out to provide forward moving ingress and egress.

2.1.3 Off-street parking spaces shall be so designed, arranged and regulated as to have individual spaces marked, to be unobstructed and to have access to an aisle or driveway, so that any automobile may be moved without moving another and so that no maneuvering directly incidental to entering or leaving a parking space shall occur on any public right-of-way or walk way.

2.1.4 All off-street parking areas shall be separated from public rights-of-way and other private property by a landscaped border no less than ten feet in width. If the parcel is adjacent to a highway, the landscaped space requirement is fifty feet from the highway right-of-way.

2.1.5 There shall not be more than two driveway openings onto any single street from any single premises. If the access is provided by a highway, only one opening shall be permitted. Each entrance and exit to a parking lot shall be completely surfaced and shall be constructed and maintained so that any vehicle entering or leaving the parking lot shall be clearly visible at a distance of no less than ten feet to a person approaching such entrance or exit on any pedestrian walk or footpath. Exits from parking lots shall be clearly posted with "STOP" signs. Appropriate bumper guards, entrance and exit signs and directional signs shall be maintained where needed. Entrances or exits shall not be less than twenty-five feet in width.

2.1.6 A six-inch high curb to confine surface drainage and limit the movement of vehicles, shall be provided along the outer perimeter of all off-street parking areas for five or more vehicles.

2.1.7 Any parking area to be used by the general public shall provide parking spaces designated and located to adequately accommodate the handicapped, and those spaces shall be clearly marked as such. A ratio of one parking space for the handicapped per ten

standard parking spaces shall be required. In parking areas with less than ten spaces, one handicapped accessible space shall be required. These parking spaces shall have a width of twelve feet.

2.1.8 The layout of parking areas shall allow sufficient space for storage of plowed snow unless snow removal from the site is provided.

MINIMUM PARKING/LOADING REQUIREMENTS

2.2.1 Minimum parking and loading requirements for a commercial development shall be in accordance with the parameters set out in Appendix “A” and Appendix “B”. If a particular use is not clearly addressed, a similar use and space shall be substituted.

2.2.2 Off-street loading spaces that are adjacent to public rights-of-way shall be screened from public view by means of a dense evergreen planting, fence, masonry wall or other such screening as may be determined by the zoning authority.

2.2.3 Off-street loading spaces shall be constructed so that no part of any vehicle loading or unloading protrudes beyond the premises onto other private property or any public right-of-way. These spaces shall be designed so that no loading or unloading vehicle is required to back onto or off of any public right-of-way.

MINIMUM REQUIREMENTS FOR ALTERNATIVE TRANSPORTATION

2.3.1 Upon construction or change in ownership, all commercial uses shall provide commercial duty bicycle racks provided as follows. These bicycle racks shall be clearly designated, highly visible, placed at convenient locations and shall not impede pedestrian access.

<u>Sq. Ft. of Gross Floor Area</u>	<u>Required Number of Spaces</u>
10,000 to 20,000 sq. ft.	4 bicycles
20,002 to 35,000 sq. ft.	6 bicycles
35,001 to 50,000 sq. ft.	8 bicycles
50,001 to 100,000 sq. ft.	10 bicycles
Over 100,000 sq. ft.	12 bicycles

2.3.2 All newly constructed off-street parking shall allow for the provision of Bus Stop accommodations.

SECTION 3 - PARKING LOT INTERNAL LANDSCAPING

3.1.1 All parking lots of ten spaces or more shall include interior landscaped areas in the overall design. Required parking or paving setbacks, screening areas or other required landscaping shall not be utilized to meet the requirements of this landscaping provision.

3.1.2 Any parking lot having a capacity of at least twenty parking spaces shall be required to have no less than ten percent of the gross area of the parking lot landscaped.

Gross area includes all paved areas within the lot along with any ingress and egress areas. Parking lots with less than twenty spaces shall have not less than five percent of the interior of the lot landscaped.

3.1.3 Interior landscaped islands no less than ten feet in width shall be dispersed across the premises so as to define parking rows, and limit unbroken rows of parking to a maximum of one hundred (100) feet. Any parking row that terminates adjacent to a paved driving surface, regardless of the length of that row, shall have a landscaped island at that end.

3.1.4 All landscaped areas shall be designed and located in a manner that clearly defines internal traffic lanes and parking areas. The following criteria shall be met:

- (a) Landscaped areas shall have a minimum width of ten feet.
- (b) A turning radius shall be constructed where a landscaped area defines an intersection of traffic lanes and/or parking spaces.
- (c) Concrete curbing shall be placed around the perimeter of all landscaped areas
- (d) Intersection sight distance shall be maintained at all entrance and exit points to a public street and at all internal intersections of streets and traffic lanes.

APPENDIX "A"

<u>USE</u>	<u>MINIMUM PARKING</u>	<u>MINIMUM LOADING</u>
Equipment Sales, Service, Rental and Repair	3-1/3 spaces per 1,000 sq. ft. gross floor area	See Table A
Gasoline/Service Station, exclusive of other uses	Minimum of 10 spaces	None
Food Markets, 5,000 Sq. Ft. Gross Floor Area and Over, and Department Stores	6-1/2 spaces per 1,000 sq. ft. floor area	See Table A
Offices and Office Buildings	3-1/3 spaces per 1,000 sq. ft. gross floor area	See Table B
Research Laboratories and Facilities	3-1/3 spaces per 1,000 sq. ft. gross floor area	See Table B
Restaurants, Cocktail Lounge, Bar	1 space per 3 seats plus 2 spaces per 3 employees on the maximum shift	None
Veterinary Clinic and Hospitals	4 spaces per doctor plus 1 space per additional employee	None
Community Centers and Private, Not-for-Profit Recreation Centers including Gymnasiums and Indoor Pools	3-1/3 spaces per 1,000 sq. ft. gross floor area	None
Gymnasium Without Fixed Seating or Spectator Facilities	1 space per 50 sq. ft gross floor area	None
Manufacturing, Fabrication, Warehousing and Wholesaling	2 spaces per 3 employees on the maximum shift, plus one space per vehicle customarily used in operation of the uses or stored on the premises	See Table A
Hospitals	1 space per 2 beds plus 1 space per staff doctor and employee on the maximum shift	See Table B
Nursing Homes	1 space per 5 beds, 1 space per self-care unit, and 2 spaces per 2 employees on maximum shift	See Table B
Commercial Service Facilities and Retail Sales Uses	5-1/2 spaces per 1,000 sq. ft. gross floor area	See Table B

Hotel, Motels	1 space per sleeping unit, 2 spaces per 3 employees on the maximum shift, plus 1 space per vehicle customarily used in operation of the use or stored on the premises, plus spaces as required by restaurants, assembly rooms and related facilities	None
Medical and dental Offices and clinics	4-1/2 spaces per 1,000 sq. ft. gross floor area, or 4 spaces per doctor plus 1 space for every additional employee, whichever is greater	See Table B
Restaurants, Fast Food	1 space per 2 seats plus 2 spaces per 3 employees on the maximum shift	None
Banks and other Similar Financial Institutions	1 space per 400 sq. ft. of gross floor area	None
Auditoriums, Assembly Halls, Sports Arenas with Fixed Seats	1 space per every 4 seats	None
Barber Shops, Beauty Parlors and Similar Personal Services	2 spaces per service chair	None
Auto Sale and Car Lots	1 space per 1,000 sq. ft. of enclosed floor area plus 1 space per 3,000 sq. ft. of open lot area	None
Churches, synagogues and other places of public assembly	1 space per eight seats	None

APPENDIX “B”

TABLE “A”

Gross Floor Area (Square Feet)	Minimum Number of Loading Spaces (10 feet by 40 feet)
5,000 – 24,000	1
24,001 – 60,000	2
60,001 – 96,000	3
96,001 – 144,000	4
144,001 – 192,000	5
192,001 – 240,000	6
240,001 – 294,000	7
294,001 – 348,000	8
For each additional 54,000	1 additional loading space

TABLE “B”

Gross Floor Area (Square Feet)	Minimum Number of Loading Spaces		
	(10 feet by 25 feet) (minimum)		(10 feet by 40 feet) (minimum)
2,000 – 10,000	1	+	0
10,001 – 25,000	2	+	0
25,001 – 100,000	2	+	1
For each additional 100,000			1 additional